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Cost of doing business

by Paul Peters

Undocumented immigrants meeting construction demand

As the Flathead Valley's building boom continues, notching about 1,200 new housing starts last year, so does the demand for labor, which has increased to the point that builders are telling Katie Chamberlain, executive officer for the Flathead Building Association, they're having trouble finding qualified construction workers.

Brad Reedstrom says he "definitely" agrees with that assessment. Reedstrom, owner of Bigfork Builders, says that in the last few years his company has had to turn down work for lack

of workers to take on all the job offers it receives.

Demand, he says, is part of the problem. The other part, he says, is lack of construction training for young people. Reedstrom has tried to address that problem as chairman of the Student Built House program, which teaches Flathead High School and Flathead Valley Community College students to build actual homes, from the ground up, over the course of a year.

Still, lack of qualified workers is the reason most Flathead construction companies give when they're found to have hired illegal immigrants to do construction work, says Kalispell-based Immigration and Customs Enforcement officer Don McPherson. Since being transferred to Kalispell in May, McPherson has arrested 40 illegal immigrants, all of whom were working in construction.

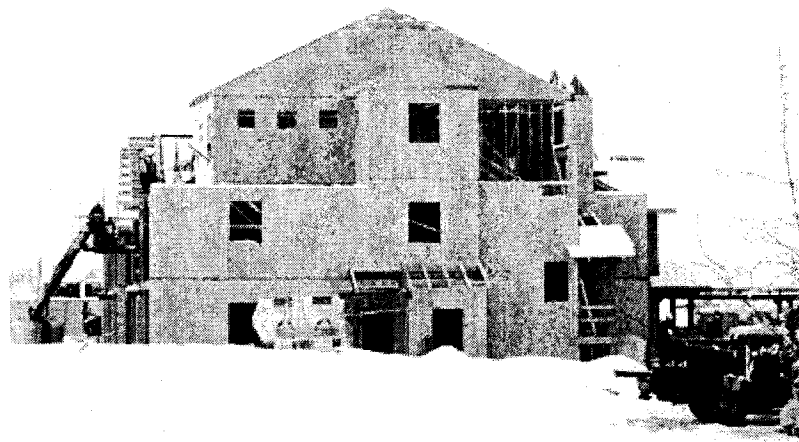


Photo by Paul Peters

The Monterra luxury condominiums south of Whitefish, where seven men working on a framing crew were arrested by U.S. Immigration and Customs Enforcement officers in September. ICE officers have arrested more than 40 undocumented workers, all working construction in the Flathead Valley, since May.

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The benefits of employing illegal immigrants go beyond meeting demand, though. McPherson says most were being paid minimum wage, which is \$5.15 in Montana. Flathead-area construction laborers typically earn more than \$12 an hour, and carpenters typically earn more than \$16, according to statistics from the Montana Department of Labor and Industry.

Which makes the Kalispell ICE office's Sept. 27 arrests a bit odd. On that date, local ICE officers responded to a tip that illegal immigrants were doing frame work at a construction site near the corner of U.S. 93 and Montana Highway 40, south of Whitefish.

Seven men working for Kalispell-based Figueroa Framers admitted to ICE agents they were working illegally, according to an affidavit. They told officers they were earning between \$15 and \$22 per hour. Although McPherson says they did not mention receiving benefits, their pay was well above what other illegal immigrants have earned in the valley. McPherson speculates that the men's hiring may have been a simple matter of meeting demand for labor.

For the men arrested, meeting that demand comes at a price. Of the seven workers arrested, two are being charged with illegal reentry as deported aliens, three have been deported, and two have been released on bond.

For Jose Mayallan-Martinez and Manuel Magana-Ortiz, the two men charged with illegal reentry, this is their third time being arrested in the U.S. In May of 1999, Mayallan-Martinez was arrested for unlawful delivery of cocaine. The two men face possible sentences of 20 years in prison and a \$250,000 fine.

Arrest, deportation and prison are the potential costs of doing business for illegal immigrants. The costs to their employers are less clear.

A visit to Figueroa Framers' address led to a new home in a developing subdivision in northwest Kalispell. A knock at the door went unanswered, though there were two cars in the driveway.

A woman who answered the phone number for Figueroa Framers did talk to the Independent, although she declined to give her name.

The woman claimed Figueroa was never aware that the men were illegal immigrants.

In fact, she maintained that some of the arrested framers were working legally, and had in fact returned to work after ICE had arrested them. As for the other arrested workers, the woman says they provided proper documentation when they were hired, and that the workers were unfairly targeted by ICE.

"It's Montana," she says. "You see colored people and you think they're illegal."

She wondered whether ICE checks white people at construction sites to see if they are illegal workers from Canada.

Noting that no charges have been filed against the company, she says, "I'm fine with what happened, it's just a little bump in the road."

But Monique Hirko, resident agent in charge of ICE in Montana, suggests that the recent arrests may in fact be more than a bump in the road for Figueroa Framers. She says the company remains under investigation, and that it would be illegal for any of the immigrants who were arrested to have returned to work.

According to an affidavit filed in the Magana-Ortiz case, none of the workers attempted to show any documentation to ICE officers, and one said that Figueroa Framers knew he was not working legally.

Still, McPherson says that while 40 illegal immigrants have been arrested in the Flathead since May, no charges have been filed against any of the companies that employed them.

At least some of the costs of hiring illegal immigrants to work the Flathead's building boom are passed on to the public. It costs the federal government \$50 to \$60 per day to house inmates in Montana jails during court proceedings, according to the U.S. Marshals Service. Magana-Ortiz and Mayallan-Martinez were arrested Sept. 27, and Mayallan-Martinez' sentencing is set for Feb. 23. Sentencing for Magana-Ortiz has not yet been scheduled.

There are also legal costs associated with prosecuting, and in some cases defending, illegal immigrants, plus the costs of deportation.

The benefit, for Flathead residents, is that demand for new construction gets met. Reedstrom and Chamberlain expect that demand to only increase. How the human and legal costs of meeting it will play out on the final balance sheet remains to be seen, but for some illegal workers, at least, the reward is apparently worth the risk.

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